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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,681	08/21/2003	Ryan Lei	42P16687	1018
8791	7590	09/06/2005		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030				
			EXAMINER ISAAC, STANETTA D	
			ART UNIT 2812	PAPER NUMBER

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/646,681

Applicant(s)

LEI ET AL.

Examiner

Stanetta D. Isaac

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
 4a) Of the above claim(s) 2,5,6,8,13,16-18,26,29,31 and 32 is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1,3,4,7,9-12,14,15,19-25,27,28 and 30 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


 LYNNE A. GURLEY

PRIMARY PATENT EXAMINER

TC 2800, AU 2812

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to the amendment filed on 6/09/05. Currently claims 1-32 are pending. Claims 2, 5, 6, 8, 13, 16-18, 26, 29, 31 and 32 have been withdrawn.

Specification

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 7, 9-12, 14, 19-25, 27, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Lei et al., US Patent 6,833,195.

Lei discloses the semiconductor method as claimed. See figures 1-7F, and corresponding text, where Lei teaches, pertaining to claims 1, 12 and 22, a method of forming a germanium-on-insulator (GOI) substrate comprising: forming an epitaxial germanium layer **302** on top of a first substrate **302** (the epitaxial germanium layer having a rough surface, the rough surface has a roughness value approximately greater than 2nm RMS, for claim 12; figure 3A; col., 2, lines 58-

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60, the germanium wafer may be epitaxially grown; col. 9, lines 10-21 *Note*: the Examiner takes the position that it is inherent the rough surface has a roughness value approximately greater than 2nm RMS, based on Applicant's admitted prior art on page 6, paragraph [0019]); forming a first dielectric film 303 on top of the epitaxial germanium layer (on top of the rough surface, for claim 12; figure 3D and 3E; col. 9, lines 22-29, *Note*: the Examiner takes the position that since Lei teaches that the Si wafer may be on top it is inherent that the dielectric film (oxide layer) is on top of the germanium layer); providing a second substrate 301 (figure 3C and 3D; col. 9, lines 22-36); bonding the first substrate to the second substrate by bonding the first dielectric film to the second substrate, the bonding resulted in a bonded wafer pair (figure 3E; col. 9, lines 30-36); and removing the first substrate after the bonding to expose epitaxial germanium layer to form the GOI substrate (and forming an electronic device on the GOI substrate, for claim 22; figure 3E and 3F; col. 9, lines 25-60).

Pertaining to claims 3, 14 and 27, Lei teaches, a method, wherein the removing of the first substrate after the bonding includes one of a grind back process, an etching process, and an ion exfoliation process (figure 3D and 3E; col. 9, lines 15-21, and 37-56).

Pertaining to claims 7 and 30, Lei teaches, a method wherein the removing of the first substrate after the bonding includes cleaving off the first substrate (figure 3D and 3E; col. 9, lines 15-21, and 37-56).

Pertaining to claims 9 and 19, Lei teaches, a method wherein each of the first substrate and the second substrate semiconductor wafer is selected from a group consisting of a silicon (Si) substrate, a monocrystalline Si substrate, a polycrystalline Si substrate, a Si-containing

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substrate, a Si substrate having an oxide layer, a silicon-on-insulator (SOI) substrate, a gallium arsenide substrate, and Ge-containing substrate (col. 2, lines 54-60).

Pertaining to claims 10 and 20, Lei teaches, a method further comprising causing a surface activation to the top surface of the first dielectric film and at least one surface of the second substrate to facilitate the bonding (col. 9, lines 22-53).

Pertaining to claims 11 and 21, Lei teaches, a method further comprises annealing the bonded wafer pair at a predetermined annealing temperature, wherein the annealing temperature is achieved with a temperature ramp rate of approximately 1°C/minute (col. 9, lines 36-53).

Pertaining to claim 23, Lei teaches, a method wherein the electronic device includes one of a transistor and a detector (figure 6G; col. 10, lines 1-3, and 51-66).

Pertaining to claim 24, Lei teaches, a method wherein the transistor includes a gate dielectric, a gate electrode, spacers, and source/drain regions (figure 6G; col. 10, lines 51-66).

Pertaining to claim 25, Lei teaches, a method wherein the detector includes a waveguide encapsulated by an oxide layer and at least one electrode (figures 7E and 7F; col. 11, lines 32-60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 4, 15 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lei et al., US Patent 6,833, 195 in view of admitted prior art.

Lei disclose the semiconductor method substantially as claimed. See preceding rejection of claims 1, 3, 7, 9-12, 14, 19-25, 27, and 30 under 35 U.S.C. 102(e).

However, Lei fails to show, pertaining to claims 4, 15 and 28, further comprising: polishing the surface of the first dielectric film prior to the bonding.

On page 8, paragraph [0025], the Applicant teaches, that portions of the dielectric layer, can be removed to have a smaller thickness, where a conventional method of chemical mechanical polishing (CMP) may be used to remove some of the dielectric layer.

It would have been obvious to one of ordinary skill in the art to incorporate, a method further comprising: polishing the surface of the first dielectric film prior to the bonding, in the method of Lei, pertaining to claims 4, 15 and 28, according to the teachings of the admitted prior art, with the motivation of, reducing the amount of dielectric material, for the purpose of creating a desired dielectric thickness.

Response to Arguments

Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stanetta D. Isaac whose telephone number is 571-272-1671. The examiner can normally be reached on Monday-Friday 9:30am -6:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lebentritt can be reached on 571-272-1873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stanetta Isaac
Patent Examiner
August 23, 2005


LYNNE A. GURLEY
PRIMARY PATENT EXAMINER
TC 2800, AU 2812